

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ALDORAN AND MARK A. MANNING,

Plaintiffs,

No. C 11-00578 JSW

v.

HOMESALES, INC., ET AL.,

ORDER TO SHOW CAUSE

Defendants.

On February 8, 2011, Plaintiffs ALDORAN and Mark A. Manning, proceeding *pro se*, filed a complaint and petition for temporary restraining order ("TRO"). By Order dated February 9, 2011, the Court denied the petition for TRO. On February 16, 2011, Plaintiffs filed an amended complaint and ex parte application for a TRO, preliminary injunction or stay, which the Court denied by Order dated February 17, 2011.

Defendant Homesales, Inc. has filed a motion to dismiss the amended complaint, noticed for hearing on June 3, 2011. Plaintiffs' opposition brief or statement of non-opposition was due by May 13, 2011. Plaintiffs filed a stipulation on May 12, 2011, to continue the case management conference from May 20, 2011, to July 22, 2011, based in part on the schedule of hearings on Defendant's demurrer to Plaintiffs' state court action in Alameda County Superior Court for June 2, 2011, and Defendant's motion to dismiss before this Court on June 3, 2011. However, Plaintiffs have not filed any opposition or response to the motion to dismiss.

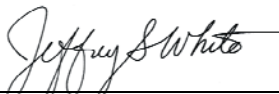
Plaintiffs ALDORAN and Mark A. Manning are HEREBY ORDERED TO SHOW CAUSE in writing, by May 31, 2011, why the motion to dismiss pending against them should

1 not be granted in light of Plaintiffs' failure to file a timely opposition or statement of non-
2 opposition. Plaintiffs' failure to file a timely response to this show cause Order will result in a
3 dismissal of this action for failure to prosecute pursuant to Federal Rule of Civil Procedure
4 41(b).

5 The hearing on Defendant's motion to dismiss remains set for June 3, 2011, at 9:00 a.m.,
6 in Courtroom 11, 19th Floor, Federal Building, 450 Golden Gate Avenue, San Francisco,
7 California.

8 **IT IS SO ORDERED.**

9
10 Dated: May 20, 2011



JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

ALDORAN,

Plaintiff,

v.

HOMESALES, INC. et al,

Defendant.

Case Number: CV11-00578 JSW

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on May 20, 2011, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Aldoran
1152 98th Avenue
Oakland, CA 94603

Mark A. Manning
1152 98th Avenue
Oakland, CA 94603

Dated: May 20, 2011



Richard W. Wieking, Clerk
By: Jennifer Ottolini, Deputy Clerk